

REMARKS

This Amendment is being filed in response to the Office Action mailed August 3, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claims 1-7 have been amended for better clarity, including beginning the dependent claims with 'The' instead of 'A', and changing "characterized in that" to "--wherein--". Claims 1-7 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner reminded the Applicant of the proper content of the Abstract. In response, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

In the Office Action, claims 1-2, 4 and 6-8 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,646,471 (Scholler). Further, claim 3 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Scholler in view of U.S.

Patent No. 5,039,912 (Van Vliet). Claim 5 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Scholler in view of U.S. Patent No. 5,111,105 (Yamamoto). It is respectfully submitted that claims 1-12 are patentable over Scholler, Van Vliet and Yamamoto for at least the following reasons.

Scholler is directed to a discharge lamp used as a headlight in vehicles. The Scholler discharge lamp has a light-absorbing coatings 11, 12, 13 that counteract the occurrence of stray light, as recited on column 2, lines 14-17. A lamp without the Scholler light-absorbing coatings would have to be aimed lower in order to avoid glare that would dazzle oncoming traffic, as recited on column 2, line 66 to column 3, line 1. The Scholler light-absorbing coatings prevent radiation therefrom where "light radiated between the band-shaped coatings can be used for illuminating the road surface close in front of the vehicle with the lamp." (Column 3, lines 12-15, emphasis added)

Scholler is the very same patent discussed in the background of the present Application from page 1, line 14 to page 2, line 17, where the Scholler absorption coatings 11, 12, 13 totally block radiation. (See page 2, line 14)

It is respectfully submitted that Scholler does not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, requires (illustrative emphasis provided):

optical compensating filter of a color complementary to the color of the metal halide.

An optical compensating filter of a color complementary to the color of the metal halide is nowhere taught or suggested in Scholler thereof. Van Vliet and Yamamoto are cited to allegedly show other features and do not remedy the deficiencies in Scholler. In fact, Yamamoto teaches a coating "which produces yellow light." (Column 2, lines 9-10).

It is respectfully submitted that the Yamamoto coating that produces yellow light teaches away from the present invention as recited in claims 11-12, where claim 11 requires that "the optical compensating filter compensate for yellowish light so that a light output has reduced yellowish coloration." (illustrative emphasis added), and claim 12 requires "a condensate having a particular color formed in the discharge vessel, the optical compensating filter being configured to compensate for the particular color so

that a light output of the gas-discharge lamp has reduced  
coloration of the particular color." (Illustrative emphasis added)

Van Vliet merely teaches an interference filter for reflecting  
UV radiation as recited in the Abstract and has nothing to do with  
a compensating filter of a color complementary to the color of the  
metal halide.

Accordingly, it is respectfully submitted that independent  
claim 1 is allowable, and allowance thereof is respectfully  
requested. In addition, it is respectfully submitted that claims  
2-12 should also be allowed based at least on their dependence from  
independent claim 1.

In addition, Applicant denies any statement, position or  
averment of the Examiner that is not specifically addressed by the  
foregoing argument and response. Any rejections and/or points of  
argument not addressed would appear to be moot in view of the  
presented remarks. However, the Applicant reserves the right to  
submit further arguments in support of the above stated position,  
should that become necessary. No arguments are waived and none of  
the Examiner's statements are conceded.

It is believed that no additional fees or charges are

currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
October 2, 2006

Enclosure: New Abstract

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101